



## Certificate of Mailing by "Express Mail"

EL 997385164 US

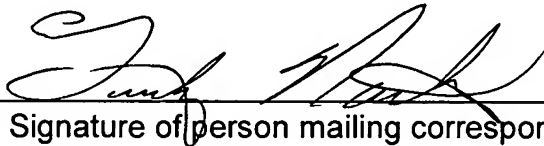
"Express Mail" label number

November 3, 2005

Date of Deposit

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and is addressed to:

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450.



Signature of person mailing correspondence

Timothy Nathan

Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".



Mail Stop RCE

**TRANSMITTAL  
FORM**

(To be used for all correspondence after initial filing)

<b>Application Number</b>	10/629,366	
	<b>Filing Date</b>	July 29, 2003
	<b>Confirmation Number</b>	6288
	<b>Inventor(s)</b>	EATON et al.
	<b>Group Art Unit</b>	3743
<b>Express Mail Label No.:</b> EL 997385164 US	<b>Examiner</b>	Bunin, A.
<b>Total Number of Pages in This Submission:</b> 19	<b>Attorney Docket No.</b>	01-18

**ENCLOSURES** (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (submit in duplicate) <input type="checkbox"/> Fee Attached \$ <input type="text"/> Check No.: <input type="text"/>	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) <input type="checkbox"/> Request for Return of PTO-1449 Forms <input type="checkbox"/> Petition to the Commissioner <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Address <input type="checkbox"/> Terminal Disclaimer(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input checked="" type="checkbox"/> Request for Continued Examination (RCE) <input type="checkbox"/> Status Request Letter <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> Response to Missing Parts / Incomplete Application
<input checked="" type="checkbox"/> Amendment / Response <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s)	<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Search report	
<input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Other Enclosure(s): _____	

**Current Due Date:** November 26, 2005 (one month extended)**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	
Date	November 3 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>November 3, 2005</u> , Express Mail Label No. <u>EL 997385164 US</u> .			
Typed Name	Timothy Nathan, Reg. No. 44,256		
Signature		Date	November 3, 2005

NOV 03 2005

**FEE TRANSMITTAL**

(Effective 12/08/2004)

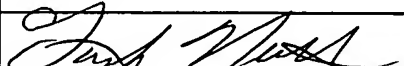
Application Number	10/629,366
Filing Date	July 29, 2003
First Named Inventor	EATON et al.
Confirmation Number	6288
Group Art Unit	3743
Examiner's Name	Bunin, A.
Attorney Docket No.	01-18

"Express Mail" Label No. EL 997385164 US

TOTAL AMOUNT OF PAYMENT \$ 910.00

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																															
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number _____ Deposit Account Name _____ <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17, 1.19 and 1.20 <input type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18				<b>3. APPLICATION SIZE FEE</b> If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 for each additional 50 sheets or fraction thereof. See 35 U.S. C. § 41(a)(1)(G) and 37 C.F.R. § 1.16(s). Total Sheets _____ Extra Sheets _____ Number of each additional 50 fraction thereof _____ Fee(\$) _____ Fee Paid(\$) _____ _____ -100 = _____ /50 = _____ (round up to a whole number) X 250 = 0.00																																																																																																																																																															
2. <input type="checkbox"/> Payment Enclosed: Check (Check No. _____)				<b>4. ADDITIONAL FEES</b> <table border="1"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>1051</td> <td>130</td> <td>2051</td> <td>65</td> <td>Surcharge - late filing fee or declaration</td> <td></td> </tr> <tr> <td>1811</td> <td>100</td> <td>1811</td> <td>100</td> <td>Certificate of Correction</td> <td></td> </tr> <tr> <td>1812</td> <td>2,520</td> <td>1812</td> <td>2,520</td> <td>For filing a request for reexamination</td> <td></td> </tr> <tr> <td>576</td> <td>25</td> <td>576</td> <td>25</td> <td>Additional filing receipt, duplicate or corrected due to applicant error</td> <td></td> </tr> <tr> <td>1251</td> <td>120</td> <td>2251</td> <td>60</td> <td>Extension for response within first month</td> <td>120.00</td> </tr> <tr> <td>1252</td> <td>450</td> <td>2252</td> <td>225</td> <td>Extension for response within second month</td> <td></td> </tr> <tr> <td>1253</td> <td>1,020</td> <td>2253</td> <td>510</td> <td>Extension for response within third month</td> <td></td> </tr> <tr> <td>1254</td> <td>1,590</td> <td>2254</td> <td>795</td> <td>Extension for response within fourth month</td> <td></td> </tr> <tr> <td>1255</td> <td>2,160</td> <td>2255</td> <td>1,080</td> <td>Extension for response within fifth month</td> <td></td> </tr> <tr> <td>1401</td> <td>500</td> <td>2401</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>1402</td> <td>500</td> <td>2402</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1403</td> <td>1,000</td> <td>2403</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>1452</td> <td>500</td> <td>2452</td> <td>250</td> <td>Petition to revive unavoidably abandoned application</td> <td></td> </tr> <tr> <td>1453</td> <td>1,500</td> <td>2453</td> <td>750</td> <td>Petition to revive unintentionally abandoned application</td> <td></td> </tr> <tr> <td>1501</td> <td>1,400</td> <td>2501</td> <td>700</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>1502</td> <td>800</td> <td>2502</td> <td>400</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>1814</td> <td>130</td> <td>2814</td> <td>65</td> <td>Statutory Disclaimer</td> <td></td> </tr> <tr> <td>1460</td> <td>130</td> <td>1460</td> <td>130</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>1807</td> <td>50</td> <td>1807</td> <td>50</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>1806</td> <td>180</td> <td>1806</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>8021</td> <td>40</td> <td>8021</td> <td>40</td> <td>Recording each patent assignment per property (times number of property)</td> <td></td> </tr> <tr> <td>1801</td> <td>790</td> <td>2801</td> <td>395</td> <td>Request for Continued Examination</td> <td>790.00</td> </tr> <tr> <td>1504</td> <td>300</td> <td>1504</td> <td>300</td> <td>Publication Fee</td> <td></td> </tr> <tr> <td colspan="4">Other Fee (specify) _____</td> <td colspan="2"></td> </tr> <tr> <td colspan="4"> <b>SUBTOTAL (1)</b> \$ 0.00         </td> <td colspan="2"> <b>SUBTOTAL (3)</b> \$ 910.00         </td> </tr> </tbody> </table>				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - late filing fee or declaration		1811	100	1811	100	Certificate of Correction		1812	2,520	1812	2,520	For filing a request for reexamination		576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error		1251	120	2251	60	Extension for response within first month	120.00	1252	450	2252	225	Extension for response within second month		1253	1,020	2253	510	Extension for response within third month		1254	1,590	2254	795	Extension for response within fourth month		1255	2,160	2255	1,080	Extension for response within fifth month		1401	500	2401	250	Notice of Appeal		1402	500	2402	250	Filing a brief in support of an appeal		1403	1,000	2403	500	Request for oral hearing		1452	500	2452	250	Petition to revive unavoidably abandoned application		1453	1,500	2453	750	Petition to revive unintentionally abandoned application		1501	1,400	2501	700	Utility issue fee (or reissue)		1502	800	2502	400	Design issue fee		1814	130	2814	65	Statutory Disclaimer		1460	130	1460	130	Petitions to the Director		1807	50	1807	50	Petitions related to provisional applications		1806	180	1806	180	Submission of Information Disclosure Stmt		8021	40	8021	40	Recording each patent assignment per property (times number of property)		1801	790	2801	395	Request for Continued Examination	790.00	1504	300	1504	300	Publication Fee		Other Fee (specify) _____						<b>SUBTOTAL (1)</b> \$ 0.00				<b>SUBTOTAL (3)</b> \$ 910.00	
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																														
1051	130	2051	65	Surcharge - late filing fee or declaration																																																																																																																																																															
1811	100	1811	100	Certificate of Correction																																																																																																																																																															
1812	2,520	1812	2,520	For filing a request for reexamination																																																																																																																																																															
576	25	576	25	Additional filing receipt, duplicate or corrected due to applicant error																																																																																																																																																															
1251	120	2251	60	Extension for response within first month	120.00																																																																																																																																																														
1252	450	2252	225	Extension for response within second month																																																																																																																																																															
1253	1,020	2253	510	Extension for response within third month																																																																																																																																																															
1254	1,590	2254	795	Extension for response within fourth month																																																																																																																																																															
1255	2,160	2255	1,080	Extension for response within fifth month																																																																																																																																																															
1401	500	2401	250	Notice of Appeal																																																																																																																																																															
1402	500	2402	250	Filing a brief in support of an appeal																																																																																																																																																															
1403	1,000	2403	500	Request for oral hearing																																																																																																																																																															
1452	500	2452	250	Petition to revive unavoidably abandoned application																																																																																																																																																															
1453	1,500	2453	750	Petition to revive unintentionally abandoned application																																																																																																																																																															
1501	1,400	2501	700	Utility issue fee (or reissue)																																																																																																																																																															
1502	800	2502	400	Design issue fee																																																																																																																																																															
1814	130	2814	65	Statutory Disclaimer																																																																																																																																																															
1460	130	1460	130	Petitions to the Director																																																																																																																																																															
1807	50	1807	50	Petitions related to provisional applications																																																																																																																																																															
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																															
8021	40	8021	40	Recording each patent assignment per property (times number of property)																																																																																																																																																															
1801	790	2801	395	Request for Continued Examination	790.00																																																																																																																																																														
1504	300	1504	300	Publication Fee																																																																																																																																																															
Other Fee (specify) _____																																																																																																																																																																			
<b>SUBTOTAL (1)</b> \$ 0.00				<b>SUBTOTAL (3)</b> \$ 910.00																																																																																																																																																															
<b>1. BASIC FILING, SEARCH, AND EXAM FEES</b> (Large Entity Only) <table border="1"> <thead> <tr> <th>Appln. Type</th> <th>Filing Fee(\$)</th> <th>Search Fee(\$)</th> <th>Exam Fee(\$)</th> <th>Fees Paid</th> </tr> </thead> <tbody> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> </tr> </tbody> </table>				Appln. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Fees Paid	Utility	300	500	200		Design	200	100	130		Plant	200	300	160		Reissue	300	500	600		Provisional	200	0	0		<b>2. CLAIMS</b> <table border="1"> <thead> <tr> <th>Total Claims</th> <th>Extra Claims</th> <th>Fee from Below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>- 20 *</td> <td>_____ x 25 =</td> <td></td> </tr> <tr> <td>Ind. Claims _____</td> <td>- 3 *</td> <td>_____ x 100 =</td> <td></td> </tr> <tr> <td>Multiple Dependent Claims add _____</td> <td></td> <td>360 =</td> <td></td> </tr> </tbody> </table> <p>* Enter Highest Number Previous Paid For _____</p> <table border="1"> <thead> <tr> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>1202 50</td> <td>2202 25</td> <td>Claims in excess of 20</td> </tr> <tr> <td>1201 200</td> <td>2201 100</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>1203 360</td> <td>2203 180</td> <td>Multiple dependent claim</td> </tr> <tr> <td>1204 200</td> <td>2204 100</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>1205 50</td> <td>2205 25</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> </tbody> </table>				Total Claims	Extra Claims	Fee from Below	Fee Paid	_____	- 20 *	_____ x 25 =		Ind. Claims _____	- 3 *	_____ x 100 =		Multiple Dependent Claims add _____		360 =		Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	1202 50	2202 25	Claims in excess of 20	1201 200	2201 100	Independent claims in excess of 3	1203 360	2203 180	Multiple dependent claim	1204 200	2204 100	Reissue independent claims over original patent	1205 50	2205 25	Reissue claims in excess of 20 and over original patent																																																																																												
Appln. Type	Filing Fee(\$)	Search Fee(\$)	Exam Fee(\$)	Fees Paid																																																																																																																																																															
Utility	300	500	200																																																																																																																																																																
Design	200	100	130																																																																																																																																																																
Plant	200	300	160																																																																																																																																																																
Reissue	300	500	600																																																																																																																																																																
Provisional	200	0	0																																																																																																																																																																
Total Claims	Extra Claims	Fee from Below	Fee Paid																																																																																																																																																																
_____	- 20 *	_____ x 25 =																																																																																																																																																																	
Ind. Claims _____	- 3 *	_____ x 100 =																																																																																																																																																																	
Multiple Dependent Claims add _____		360 =																																																																																																																																																																	
Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description																																																																																																																																																																	
1202 50	2202 25	Claims in excess of 20																																																																																																																																																																	
1201 200	2201 100	Independent claims in excess of 3																																																																																																																																																																	
1203 360	2203 180	Multiple dependent claim																																																																																																																																																																	
1204 200	2204 100	Reissue independent claims over original patent																																																																																																																																																																	
1205 50	2205 25	Reissue claims in excess of 20 and over original patent																																																																																																																																																																	
<b>SUBTOTAL (2)</b> \$ 0.00																																																																																																																																																																			

**SUBMITTED BY**

Typed or Printed Name	Timothy Nathan	Reg. Number	44,256
Signature		Date	November 3, 2005
		Deposit Account Number	50-0558